

IX. PROVIDED ALWAYS, That no person whatsoever, the proprietor or owner of the said land only excepted, shall be allowed to take up, draw, hold, possess or enjoy, above one of the lots aforesaid, at any time within three years after the laying out of the town aforesaid.

H. A. P. XXIII. Proviso.

X. AND BE IT FURTHER ENACTED, by the authority aforesaid, That all and every person and persons who shall take up any of the lots aforesaid shall apply to the clerk of Cecil county court for the time being for entries to be made of their respective lots so taken up, which clerk is hereby obliged and required carefully to enter in a book, by him to be kept for that purpose, the names of persons taking up the said lots, the numbers of their respective lots, with the days of their being taken up, and the receipts for money by them respectively paid for their said lots, for which entries, and a copy thereof to be delivered to the parties, every such person shall pay to the said clerk the sum of five shillings current money, and no more.

None to hold more than one lot, &c.

XI. AND BE IT FURTHER ENACTED, by the authority aforesaid, That all and every the person and persons aforesaid taking up the lots aforesaid, their heirs, executors, administrators and assigns, shall be obliged to erect and build on such their respective lots, within three years after the date of the entry thereof so as aforesaid to be made, one good tenable dwelling-house, which shall cover four hundred square feet of ground at least, exclusive of sheds, with a brick or stone chimney to every such house, and every person neglecting or omitting to build as aforesaid on his or her lot, shall lose and forfeit his or her right, title and estate therein; and every such lots so neglected to be built on as aforesaid shall, from and after the expiration of the three years aforesaid, be liable to be taken up by any other person whatsoever.

What improvements shall be made, &c.

This section was repealed by 1786, ch. 32, section 2.

XII. AND BE IT FURTHER ENACTED, by the authority aforesaid, That when and as often as any of the lots aforesaid shall be forfeited for not being built on as aforesaid, either the first taker up thereof, or any other person who shall incline to take the same up anew, shall apply to the county clerk aforesaid, and cause an entry to be made by the said clerk of his or her taking up such lot, in manner as before directed, and shall likewise pay to the said clerk the price of such lot as before set and fixed, to be applied as herein after directed, together with the said clerk's fee as aforesaid for such entry and copy thereof, and that such second taker up, having so entered and paid for such lots so taken up a second time, and built thereon, according to the directions and within the time before mentioned and limited, shall be seized of the like estate of and in such lot as the first takers up of the said lots are hereby declared to be, upon their complying with the requisites aforesaid, and so, *toties quoties*, until all such lots shall be built upon as aforesaid.

Forfeited lots, how to be taken up, &c.

XIII. AND BE IT FURTHER ENACTED, That if all the lots aforesaid shall not be drawn and entered as aforesaid on the aforesaid two days to be appointed for ballotting the same, then it shall and may be lawful for any persons whatsoever (except those who had already drawn and entered lots as aforesaid,) to take up and enter the same as before directed, and to pay the prices thereof to the clerk aforesaid, which, together with the building thereon as aforesaid, shall entitle such takers up to fee-simple estates therein as aforesaid respectively.

Lots not drawn may be taken up, &c.

XIV. AND BE IT FURTHER ENACTED, That the county clerk aforesaid shall attend the commissioners aforesaid in the execution of what is required by this act to be done, and shall make up and keep fair and just entries of all their proceedings, and of all the lots to be taken up and paid for as aforesaid, and that the said clerk, for such his attendance, shall be allowed fifteen hundred pounds of tobacco in the county levy; and that the surveyor aforesaid, for surveying and laying out the town and common aforesaid, making and returning plots and certificates thereof as aforesaid, and all other services by him to be done in the premises, shall have and receive the sum of two thousand pounds of tobacco, to be assessed and allowed in the county levy as aforesaid.

Clerk to attend, &c.

XV. AND BE IT FURTHER ENACTED, That the clerk aforesaid shall, from time to time, render just accounts of, and pay to the commissioners aforesaid, all the money which he shall receive for the prices of any of the lots aforesaid, so as aforesaid directed to be paid to him, deducting therefrom the commission of two pounds ten shillings *per cent.* for all sums by him so received and paid.

And render account, &c.

XVI. AND BE IT FURTHER ENACTED, That all and every person and persons taking up, holding or possessing any of the lots aforesaid, shall pay yearly for every such lot, to the right honourable the lord proprietary of this province, or his agent or receiver here for the time being, for the use of his lordship, two pence current money of England, in full consideration for the yearly rent of the five hundred acres of land aforesaid.

Quit-rents payable.